

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MANUEL M. NAVARRO,

No. C 08-0241 WHA (PR)

Petitioner,

**ORDER DENYING LEAVE TO  
PROCEED ON APPEAL IN FORMA  
PAUPERIS**

v.

BEN CURRY, Warden,

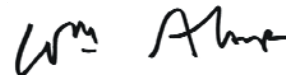
Respondent.

**(Docket No. 35)**

This is a habeas corpus case filed by a state prisoner pursuant to 28 U.S.C. 2254. The petition was denied on its merits and a certificate of appealability was denied in the same order. Petitioner has filed a notice of appeal and a motion for leave to proceed on appeal in forma pauperis. The certificate of appealability was denied because “no reasonable jurist would find the denial of his claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). For the same reason, petitioner’s appeal is not taken in “good faith” and consequently leave to proceed on appeal in forma pauperis is **DENIED**. See 28 U.S.C. § 1915(a)(3).

**IT IS SO ORDERED.**

Dated: December 9, 2010.



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE